



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
(Implements RCW 34.05.360)

**Agency:** Department of Labor and Industries

☒ **Permanent Rule**  
☐ **Emergency Rule**

**Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing.  
☒ Other (specify) May 1, 2006 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- ☐ Immediately upon filing.  
☐ Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose: Logging Standards**

The purpose of this rulemaking is to be at least as effective as the Occupational Safety and Health Administration (OSHA). The department received a letter from OSHA indicating that we were not as effective as the federal requirements relating to the logging standard. See attachment 1.

**Citation of existing rules affected by this order:**

Repealed: See attachment 2.  
Amended: See attachment 2.  
Suspended: NA

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

**Other authority :** None

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 06-01-072 on 12/20/05.

Describe any changes other than editing from proposed to adopted version: none.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** March 21, 2006

**NAME (TYPE OR PRINT)**

Gary K. Weeks

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

WSR# 06-07-142

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	<u>8</u>	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	<u>4</u>	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>12</u>	Repealed	_____

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**Chapter 296-54 WAC, Safety Standards for Logging Operations**

**Amended Sections:**

WAC 296-54-507, Employers responsibilities

- Changed the requirement to provide safety training for each employee

WAC 296-54-51140, Hand protection

- Changed requirement to read that employer will provided hand protection

WAC 296-54-51180, Personal flotation devices

- Deleted language that said employees are not considered exposed to the danger of drowning when the water depth is known to be less than chest deep on the exposed individual.

WAC 296-54-515, Accident prevention program

- Added language which states that the accident prevention program must be effective in practice
- Included an item in the safety training program which covers the safe use, operation and maintenance to tools, machines and vehicles.

WAC 296-54-527, Seat belts

- Removed the exemption to the requirement that all employees must use available seat belts.

WAC 296-54-537, Chain saws

- Added a requirement that chain saws must be operated and adjusted in accordance with manufacturer's instructions
- Added a requirement that the chain saw must be started with the chain brake engaged, unless the manufacturer prohibits

WAC 296-54-557, Wire rope

- Removed the exemption that said the section did not apply to chokers

WAC 296-54-573, Logging machines—General

- Added a requirement that the floor and lower portion of cabs be completely enclosed

WAC 296-54-57355, Logging machines—Protective structures for operators

- Reformatted subsection (11) to line up with OSHA's rule

WAC 296-54-581, Helicopter logging—General

- Added the words "rescue situation" to the sentence about prohibiting the riding of a hook.

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Department of Labor and Industries

WISHA Services Division

CR-103 Filing Date: March 21, 2006

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WAC 296-54-581, Helicopter logging—General

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**Attachment (2)**

(Citation of Rules)